

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

LAWRENCE L. HUVER, III,

Plaintiff,

v.

Case No.: 1:22-cv-49-RDA/IDD

LLAB TRUCKING, INC.,
Serve via State Corporation Commission
Pursuant to Va. Code § 13.1-758F
SERVE Registered Agent: Venecia Sade Outlaw
430 Averasboro Drive
Clayton, North Carolina 27520

and

ROBERT DIJON MORRISEY
107 B Lee Street
Princeton, North Carolina 27569
SERVE: Richard D. Holcomb
Commissioner of the Department of Motor Vehicles
c/o Customer Records Work Center
2300 West Broad Street
Richmond, Virginia 23269

Defendants.

COMPLAINT

COMES NOW the plaintiff, Lawrence L. Huver, III, by counsel, and moves this Court for judgment against the defendant's decedent, LLAB Trucking, Inc. and Robert Dijon Morrisey, jointly and severally, in the amount of ONE MILLION DOLLARS (\$1,000,000.00) by reason of the following:

1. The plaintiff, Lawrence L. Huver, III is a resident of Culpeper County, Virginia, with an address of 1036 Virginia Avenue, Culpeper, Virginia 22701.

2. The defendant, LLAB Trucking Inc., hereinafter LLAB, was a limited liability corporation whose principal office was located at 920 Bryan Place, Apartment A2, Garner, North Carolina 27529.

3. The defendant, Robert Dijon Morrisey, hereinafter Morrisey, upon information and belief currently resides at 107 B Lee Street, Princeton, North Carolina 27569.

4. At the time of this accident Defendant Morrisey's address was 3721 Dianne Drive, NW, Wilson, North Carolina 27896.

5. The subject collision occurred in Prince William County, Virginia.

JURISDICTION AND VENUE

6. This Court has jurisdiction under 28 U.S.C. § 1332 because the parties are diverse and the amount in controversy, exclusive of interest and costs exceed seventy five thousand dollars (\$75,000.00).

7. This Court has personal jurisdiction over the defendants pursuant to Virginia Code § 8.01-328.1(A)(1) and (3) because the defendants transacted business in the Commonwealth of Virginia and caused tortious injury by an act or omission in this Commonwealth.

FACTUAL ALLEGATIONS

8. On or about May 20, 2020, Lawrence L. Huver, III, plaintiff, was stopped in the eastbound right lane of Prince William Parkway at the intersection with Jefferson Davis Highway which was controlled by a traffic signal.

9. At approximately the same time and place, Defendant Morrisey was operating a tractor with a flatbed trailer traveling east on Prince William Parkway and to the rear of three lines of vehicles which included plaintiff at the aforementioned intersection.

10. Due to the speed he was traveling and the lack of maintenance to the vehicle, Defendant Morrisey, approached the stopped vehicles and started zig zagging in an attempt to slow his vehicle. This maneuver caused the cargo on the flatbed trailer to begin spilling.

11. Defendant Morrisey crashed his vehicle into the two fuller lanes of traffic causing chain reaction collisions including a vehicle or vehicles colliding with plaintiff's vehicle in the right lane.

LIABILITY

12. Defendant Morrisey drove and/or operated the vehicle owned and/or leased by Defendant LLAB with its authority and consent within the course and scope of his agency and/or employment relationship with Defendant LLAB.

13. Defendant LLAB is vicariously liable for each and every negligent act or omission of its agent and employee, Defendant Morrisey as described herein.

14. It was the duty of Defendant Morrisey, on behalf of LLAB, to operate the tractor and flatbed trailer with reasonable care and due regard to the rights and safety of others using the roadway including Plaintiff.

15. Notwithstanding these duties, Defendant Morrisey, on behalf of LLAB, negligently and carelessly operated his vehicle, traveling at an unreasonable rate of speed, operating a tractor and flatbed trailer with numerous defects.

16. Defendant Morrisey, on behalf of LLAB, was negligent in that he:

- a) failed to keep his vehicle under proper control,
- b) failed to use ordinary care in the operation of said vehicle,
- c) failed to properly maintain his vehicle,

- d) operated the vehicle knowing there were operating defects which would affect his ability to operate said vehicle safely, and
- e) failed to properly maintain his lane of travel, and otherwise comply with the applicable rules of the road and applicable federal and state laws.

17. As a direct and proximate result of the above described collision, plaintiff was caused to suffer serious and permanent injuries, has suffered and will in the future suffer pain of the body and mind, has incurred and will in the future incur medical and related expenses, and has been deprived of earnings and earning capacity.

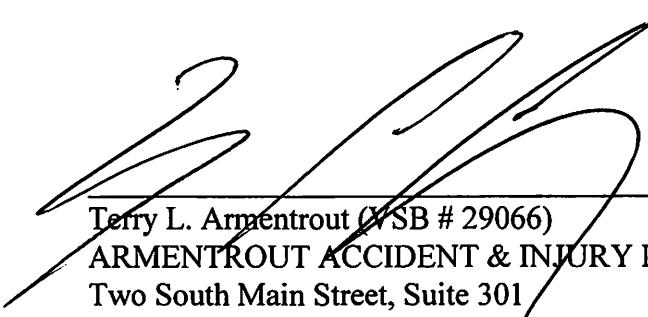
WHEREFORE, the plaintiff, Lawrence L. Huver, III, moves this Court for judgment against the defendants, LLAB Trucking Inc. and Robert Dijon Morrisey, in the amount of ONE MILLION DOLLARS (\$1,000,000.00), with interest and for his costs herein expended.

JURY DEMAND

TRIAL BY JURY IS DEMANDED.

LAWRENCE L. HUVER, III

By Counsel


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